

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**TOMMY PAGE**

**PETITIONER**

**v.**

**NO. 1:04CV261-P-D**

**WARDEN LEPHER JENKINS, ET AL.**

**DEFENDANTS**

**FINAL JUDGMENT**

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated September 29, 2005, and the April 19, 2006, objections to the Report and Recommendation, the court finds that the petitioner's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated September 29, 2005, is hereby approved and adopted as the opinion of the court.

2. That the instant petition for a writ of *habeas corpus* is hereby **DENIED**.

3. That this case is **CLOSED**.

4. That in light of this ruling, any motions currently pending are hereby

**DISMISSED** as moot.

THIS, the 2<sup>nd</sup> day of October, 2006.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE